

Customer No. 24498

PF020081

REMARKS

This application has been reviewed in light of the Office Action dated May 22, 2007. Claims 1-5 are pending in the application. By the present amendment, claims 1 and 4 have been amended for clarity. No new matter is believed to be added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

By the Office Action, claims 1 and 4 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite.

Claims 1 and 4 have been amended in a way believed to overcome the rejection. Reconsideration of the rejection is respectfully requested.

By the Office Action, claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,136,644 to Hull (hereinafter Hull) in view of U.S. Patent No. 7,082,535 to Norman et al. (hereinafter Norman).

The Applicant respectfully submits that the cited combination fails to disclose or suggest each and every one of the elements as recited in the present claims. Reconsideration of the rejection is earnestly solicited based at least on the following remarks.

Claim 1 of the present invention recites, *inter alia*, a method of creation of a new communication network by a wireless terminal, wherein the wireless terminal initially being part of an existing centralized network that includes an access point able to control the association of wireless terminals to its network, it includes, for the associated terminal, the steps of disassociation of the terminal from the existing centralized network; and initiation of a procedure

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for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

Hull is directed to a system that provides for the acquisition of service in a local area network (LAN). The object of Hull is to provide access to the LAN, but from a most convenient location (e.g., home, work, etc.). The LAN includes network access points (NAPs) which are defined at col. 3, line 17 as fixed wireless LAN devices. The NAPs and WLAN devices can form a piconet to provide access to the LAN. There is no disclosure or suggestion of forming a separate network from a dissociated wireless device. It is respectfully submitted that the piconets formed in Hull provide groups of devices including NAPs, with masters and slaves for "service acquisition" with a LAN. Hull does not teach or suggest all of the features recited by the present claims.

In particular, Hull fails to disclose or suggest at least disassociation of the terminal from the existing centralized network; and initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network. The Examiner acknowledges that Hull does not teach or suggest disassociation of the terminal from the existing centralized network. However, Hull also does not disclose or suggest the initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network. Hull forms piconets but does not create a new network where the terminal becomes an access point for the new network. Further, the operating parameters of the new

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network are not disclosed or suggested by Hull to be such that communications on the new network do not interfere with the existing network.

Norman has been cited to cure the deficiencies of Hull; however Norman fails to do so. Norman is directed to an architecture for controlling access to a LEAP proxy. Norman is focused on an authentication protocol. The protocol relates to granting and denying access of a client to the network. While Norman provides at col. 4, lines 46-48 for the dissociation of the client 106, this is in the context of a client's decision to leave the network based on the network being the wrong network (see col. 4, lines 46-48). In Norman, the client is authenticated and access is granted, or the client is simply denied access. Nowhere in Norman is a new network formed as the result of a disassociation of a terminal with an existing network.

Norman fails to disclose or suggest dissociation of the terminal from the existing centralized network in the manner recited in the present claims. Even if, *arguendo*, dissociation is shown, there is no formation of a new network as a result of such dissociation. For example, as a result of the dissociation, no initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network is provided in Norman. Further, Norman fails to disclose or suggest that the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

It is therefore, respectfully submitted that Norman fails to cure the deficiencies of Hull and that the cited combination of Hull and/or Norman, taken singly or together, fails to disclose or suggest at least initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of

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the new network are such that communications on the new network do not interfere with the existing network.

One skilled in the art with knowledge of the cited combination would not arrive at the present invention as claimed. Claim 4 includes similar elements as recited in claim 1. Therefore, claims 1-5 are believed to be in condition for allowance over the cited combination for at least the stated reasons. Reconsideration of the rejection is earnestly solicited.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

A three month Petition of time is enclosed. The Patent Office is authorized to charge the fee to Applicant's Attorney Deposit Account No. 07-0832. It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No. 07-0832.

Respectfully submitted,

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By:



Paul P. Kiel, Sr. Patent Counsel
Registration No. 40,677

Mailing Address:

Thomson licensing LLC
PO Box 5312
Princeton, NJ 08545-5312